

TRANSLATION

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>EBU/BCT040184</b>	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. <b>PCT/FR2004/003057</b>	International filing date ( <i>day/month/year</i> ) <b>29.11.2004</b>	Priority date ( <i>day/month/year</i> ) <b>01.12.2003</b>
International Patent Classification (IPC) or national classification and IPC <b>G07F17/10, G07F7/02</b>		
Applicant <b>JCDECAUX SA</b>		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> ( <i>sent to the applicant and to the International Bureau</i> ) a total of <u>6</u> sheets, as follows: <div><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</div> b. <input type="checkbox"/> ( <i>sent to the International Bureau only</i> ) a total of (indicate type and number of electronic carrier(s))  _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4.	This report contains indications relating to the following items: <div><input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application</div>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/003057

Box No. I	Basis of the report
1.	<p>With regard to the <b>language</b>, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> <p>2. With regard to the <b>elements</b> of the international application, this report is based on <i>(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)</i>:</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1-12</u> _____ as originally filed/furnished</p> <p>pages* _____ received by this Authority on _____</p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. _____ as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1-22</u> _____ received by this Authority on <u>02.07.2005 with letter of 27.06.2005</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>1/2, 2/2</u> _____ as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> <p>3. <input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> <p>4. <input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p>

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FR2004/003057

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																					
1. Statement	<table><tbody><tr><td rowspan="2">Novelty (N)</td><td>Claims</td><td><u>1-22</u></td><td>YES</td></tr><tr><td>Claims</td><td><u></u></td><td>NO</td></tr><tr><td rowspan="2">Inventive step (IS)</td><td>Claims</td><td><u></u></td><td>YES</td></tr><tr><td>Claims</td><td><u>1-22</u></td><td>NO</td></tr><tr><td rowspan="2">Industrial applicability (IA)</td><td>Claims</td><td><u>1-22</u></td><td>YES</td></tr><tr><td>Claims</td><td><u></u></td><td>NO</td></tr></tbody></table>	Novelty (N)	Claims	<u>1-22</u>	YES	Claims	<u></u>	NO	Inventive step (IS)	Claims	<u></u>	YES	Claims	<u>1-22</u>	NO	Industrial applicability (IA)	Claims	<u>1-22</u>	YES	Claims	<u></u>	NO
Novelty (N)	Claims		<u>1-22</u>	YES																		
	Claims	<u></u>	NO																			
Inventive step (IS)	Claims	<u></u>	YES																			
	Claims	<u>1-22</u>	NO																			
Industrial applicability (IA)	Claims	<u>1-22</u>	YES																			
	Claims	<u></u>	NO																			
2. Citations and explanations (Rule 70.7)	<p>1. Reference is made to the following documents:</p> <p>D1: US 5 917 407 A (J.H.M. SQUIRE ET AL.) 29 June 1999 (1999-06-29)</p> <p>D2: US 4 884 212 A (R. STUTSMAN) 28 November 1989 (1989-11-28)</p> <p>2. The present application fails to meet the requirements of PCT Article 33(1), since the subject matter of claims 1 to 22 does not involve an inventive step as defined by PCT Article 33(3).</p> <p>2.1 D1, which is considered to be the prior art closest to the subject matter of claim 1, describes a method for automatically renting bicycles by means of interactive terminals, each of which is capable of communicating remotely with a rental management server and controlling several locking stations on which bicycles are locked (abstract, column 4, lines 21 to 27, figure 1 and figure 16), which method includes the following steps:</p> <ul style="list-style-type: none"><li>- reading and verifying a payment card by communicating with a financial transaction server (column 10, lines 56 to 65);</li><li>- allocating an identifier associated with the user (the credit card number in D1) and storing said identifier in the rental management server</li></ul>																					

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>(column 10, lines 61 to 66 and column 9, lines 21 to 32);</p> <ul style="list-style-type: none"><li>- authorising the rental of the bicycle depending on verification of the payment card (column 11, lines 5 to 24);</li><li>- and a debiting step, during which communication takes place with the financial transaction server to debit an amount according to the rentals carried out (column 11, line 50 to column 12, line 28; column 9, line 55 to column 10, line 13 and figure 18).</li></ul> <p><i>N.B. It is implicit in D1 that the identifier associated with the user, i.e. the number of the credit card, is stored in the management server, subsequent to being transmitted (column 9, lines 21 to 32).</i></p> <p>Furthermore, the automatic rental method of D1 enables bicycles to be rented from a network of terminals, connected to a management server. The rented bicycles can be returned to any terminal forming part of said network (column 12, lines 30 to 37 and lines 56 to 63).</p> <p>Consequently, the subject matter of claim 1 differs from the teaching of D1 in that:</p> <ul style="list-style-type: none"><li>- an authorisation for a maximum value and for a limited period of validity is generated;</li><li>- the identifier allocated and stored is specific to said authorisation;</li><li>- the rental of bicycles is authorised if an identification code provided by the user corresponds to the authorisation identifier;</li><li>- a rental account corresponding to the authorisation identifier is incremented;</li><li>- and the authorisation identifier is communicated to the financial transaction server by the management server.</li></ul>

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>The problem that the present invention is intended to solve can be considered to be that of providing an improved electronic payment method that is free of risks for the rental company and enables the user to carry out a plurality of rentals during a predetermined period, all said rentals being paid for by a single final payment.</p> <p>Faced with this problem, a person skilled in the art would be prompted to seek a solution in the prior art and would thus find D2, which describes a method of payment in the context of an automatic rental method, according to which;</p> <p>(a) in an initial step (column 11, line 46 to column 12, line 19, column 13, lines 12 to 45 and column 14, lines 43 to 60):</p> <ul style="list-style-type: none"><li>- communication takes place with a financial transaction server to generate an authorisation to debit a certain maximum value and valid for a limited period;</li><li>- an identifier is allocated to said authorisation;</li><li>- said identifier is stored;</li></ul> <p>(b) and, at a later rental step (column 12, line 33 to column 13, line 45 and column 15, lines 10 to 15):</p> <ul style="list-style-type: none"><li>- the user provides an identification code associated with the authorisation identifier;</li><li>- the correspondence of this code to the stored authorisation identifier is verified;</li><li>- the rental is authorised or refused according to said verification;</li><li>- and a rental account corresponding to the authorisation identifier is incremented (column 13, lines 34 to 41).</li></ul> <p>Consequently, a person skilled in the art would</p>

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>combine all the features described in D1 and D2 to solve the stated problem, without exercising inventive skill. Given that the management server of D1 receives information about the accounts associated with the users' payment cards from the interactive terminals (column 9, lines 26 to 32), management of the rental account by the management server and the transmission of the authorisation identifier to the financial transaction server by the management server are merely some of several obvious options that a person skilled in the art seeking to implement the combination of features described in D1 and D2.</p> <p>The solution proposed in independent claim 1 cannot therefore be considered to involve an inventive step (PCT Article 33(3)).</p> <p>2.2 Dependent claims 2 to 21 contain features that constitute implementation details (of which certain are known from D1) or obvious options that a person skilled in the art might select, depending on each particular case, and without an inventive step being involved. None of said features, when combined with the features of any one of the claims to which the above-mentioned claims refer, meets the PCT requirements of inventive step (PCT Article 33(3)).</p> <p>2.3 The subject matter of claim 22 does not involve an inventive step, as defined in PCT Article 33(3), for the reasons already set forth in paragraph 2.1 above.</p>

**Box No. VIII**      **Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1.      For certain steps of the method defined in claim 1, it is not clear which entities perform the steps (for example, the step of reading the card or the step of communicating with the financial transaction server, etc.).  
Similarly, it is not specified whether certain of the means defined in claim 22 belong to the entities of the system. For example, claim 22 does not specify that the means for reading the payment card and the means for communicating with the financial transaction server are part of the interactive terminals.  
Since independent claims 1 and 22 do not contain these features, said claims fail to meet the requirements of PCT Article 6 in combination with PCT Rule 6.3(b), according to which an independent claim must contain all of the technical features essential for the definition of the invention.